

## **Fisheries Regulatory Update**

**Dates Covered: 10/3/12 to 1/18/13**

### **Public Notices Issued**

View Public Notices at <http://www.dnr.maryland.gov/fisheries/notices/notices.asp>

- **Shellfish Aquaculture Lease — Brown Sr. and Brown**  
Application for a shellfish aquaculture submerged land lease by Robert T. Brown, Sr. and Victoria Brown in St. Patrick Creek, St. Mary's County, Maryland. Published in the Enterprise on 10/17/12 and 10/24/12.
- **2013 American Lobster Regulations**  
Maryland is required to adopt changes in ASMFC FMP by January 1, 2013. These changes affect both the commercial and recreational fisheries. A public hearing will be held October 25, 2012, at 2 p.m., at the Worcester County Library, Ocean Pines Branch, 11107 Cathell Road Ocean Pines, Maryland 21811 to discuss the proposed lobster regulations. Published in the Baltimore Sun on 10/18/12 and in the Worcester County Times on 10/25/12.
- **Commercial Striped Bass Hook and Line Season Modification**  
Effective at 12:01 am on Tuesday, October 23<sup>rd</sup>, 2012. The catch limit will be reduced to 400 lbs/permit/week, with open fishing days limited to Tuesday and Wednesday only. The October fishery will close at 12:01 AM on October 25<sup>th</sup>, 2012. The season will reopen on November 6<sup>th</sup>, 2012. Active fishing days during November will be limited to Tuesdays and Wednesdays only, with catch limits of 400 lbs/permit/day and 800 lbs/permit/week. Published in the Baltimore Sun on Monday, October 22, 2012.
- **Oysters**  
Wicomico River – Bramleigh Creek Oyster Reserve (Hand Tong Only) open Mon - Fri from 12/10/12 through 3/29/12. Requested by the St. Mary's County oyster committee. Printed in the Enterprise on 11/9/12.
- **Blue Crabs**  
Extension of the commercial mature female hard crab season. The season will close on 11/17/12. Printed in the Baltimore Sun on 11/2/12.
- **Public Information Session on Proposed Aquaculture Leases**  
Regarding the proposed shellfish aquaculture leases of Mr. William Gabeler in Grey's Creek off of Assawoman Bay. The open-house style information session will be held on 11/14/12 from 3:30 – 6:30 pm at the Worcester County Library, Ocean Pines Branch, 11107 Cathell Road, Ocean Pines, MD. Printed in the Worcester County Times 11/1/12.
- **Spiny Dogfish — Clarification to commercial fishery**  
Licensees without a federal spiny dogfish permit NMFS may possess or land spiny dogfish caught from Maryland waters (0 – 3 miles from shore); Period II opened in federal waters 11/1/12; Federal permit holders or Maryland commercial licensees may land up to 3,000 pounds of spiny dogfish per vessel per day; Obtain NMFS rules by visiting, <http://www.nmfs.noaa.gov/sfa/hms/>. Printed in the Baltimore Sun on 11/20/12 and in the Worcester County Times on 11/29/12.

- **Commercial Striped Bass Season Modification — Hook and Line & Pound Net**  
**Hook & Line** — The commercial hook and line fishery was extended to include active fishing days on Mon, Tues, Wed, and Thurs with a catch limit of 400 lbs/permit/day. The season closed at 12:01 AM on 11/30/12. **Pound net** — The pound net fishery was extended through 12/4/12. Published in the Baltimore Sun on 11/30/12.
- **Commercial Striped Bass Gill Net Season Modification**  
Effective at 12:01 am 12/11/12 the commercial striped bass gill net fishery will open on Tuesdays, Wednesdays, and Thursdays only from 3am to 6pm. 300 lbs/permit/day with a vessel limit of 1200 lbs/vessel/day. All other regulations for the gill net fishery remain in effect. Published in the Baltimore Sun 11/30/12.
- **Shellfish Aquaculture Lease — Johnson**  
Application for a shellfish aquaculture water column lease by Donald Johnson in Eastern Bay, Queen Anne County, Maryland. Site is located just north of Kent Point along the southeast shoreline of Kent Island. Published in the Bay Times 12/12/12 and 12/19/12.
- **Commercial Striped Bass Gill Net Season Modification**  
Effective 12/25/12, the 2012 gill net fishery will close. Re-opens 12/26/12 and 12/27/12 from 3am to 6pm. On 1/1/13 the 2013 commercial striped bass gill net season will open on Tuesdays, Wednesdays and Thursdays only. Daily catch limit is 300 lbs/permit with a daily vessel limit of 1200 lbs/vessel. Published in the Baltimore Sun 12/22/12.
- **2013 Recreational Black Sea Bass Season**  
Opens a winter recreational black sea bass season for 2013. January 1 through February 28, 2013. Minimum size is 12.5 inches and Possession limit is 15 fish. Published in the Maryland Register and Posted on Fisheries website, facebook and twitter.
- **Commercial Striped Bass Gill Net Season Modification**  
The 2012 commercial striped bass gill net fishery will re-open on 12/31/12 from 3am to 6pm. Daily catch limit is 300 lbs/permit with a daily vessel limit of 1200 lbs/vessel. Includes reminder about January fishery. Published in the Baltimore Sun on 12/28/12.
- **Shellfish Aquaculture Lease — Maryland Water Holdings, LLC**  
Application for 2 shellfish aquaculture water column leases by Maryland Water Holdings, LLC in St. Clements Bay and Chesapeake Bay, St. Mary's County, Maryland. Published in the Enterprise 1/9/13 and 1/16/13.
- **Shellfish Aquaculture Lease — Kellam and Kellam**  
Applications for 2 shellfish aquaculture water column leases by Paul Kellam and Judy Kellam in Calvert Bay and Smith Creek, St. Mary's County, Maryland. 1<sup>st</sup> Area: Southwest of the mouth of Calvert Creek. 2<sup>nd</sup> Area: In an unnamed cove on the west side of Smith Creek. Published in The Enterprise on 1/9/13 and 1/16/13.
- **Shellfish Aquaculture Lease — Tull and Tull**  
Application for a shellfish aquaculture water column lease by John Tull and Fred Tull in the Little Annemessex River, Somerset County, Maryland, just south of Old House Cove. Published in the Crisfield Times 1/9/13 and 1/16/13.

- **Shellfish Aquaculture Lease — Wisner**  
Application for a shellfish aquaculture submerged land lease by Eric Wisner in Nanticoke River, Wicomico County, Maryland, located approximately 1 nautical mile south of Roaring Point east of the main channel. Published in the Daily Times 1/9/13 and 1/16/13.
- **Shellfish Aquaculture Lease — Shore Thing Shellfish, LLC.**  
Application for a shellfish aquaculture water column lease by Shore Thing Shellfish, LLC., in St. Georges Creek, St. Mary's County, Maryland. Published in the Enterprise 1/11/13 and 1/18/13.
- **Commercial Striped Bass Gill Net Season Modification**  
Commercial gill net fishery will be open 1/15/13 through 1/23/13. Tuesdays and Wednesdays only from 3am to 6pm. The fishery will close at 12:01 am on 1/24/13 and reopen on 2/5/13 on Tuesdays, Wednesdays, and Thursdays only. The daily catch limit will remain 300 pounds per striped bass harvest permit with a daily vessel limit of 1200 pounds per vessel. Published in the Baltimore Sun on 1/5/13.
- **Shellfish Aquaculture Lease — Devine**  
Application for a shellfish aquaculture water column lease by John J. Devine in Trippe Creek, Talbot County, Maryland, located at a pier approximately 1,700 feet east of the mouth of Snug Harbor. Published in the Star Democrat on 1/18/13 and 1/25/13.
- **Shellfish Aquaculture Lease – Fitzhugh and Shockley**  
Application for a shellfish aquaculture water column lease by Ricky Fitzhugh and Dorsey John Shockley, Jr. in Back Creek, Dorchester County, Maryland, located at the end of Old House Point Road. Published in the Dorchester Star on Fridays, January 25 and February 1, 2013.

### **Regulations that became Effective**

- **Summer Flounder — 08.02.05.12 — Effective 10/29/12**  
Recreational size and season; Commercial fishery updates
- **Black Bass Tournament Permit — 08.02.01.11 — Effective 10/29/12**
- **Black Sea Bass — 08.02.05.21 — Effective 11/12/12**  
Recreational season; Commercial fishery updates
- **Fishing in Nontidal Waters — Emergency Extension — 08.02.11.01**  
Effective June 26 through December 31, 2012  
Lion's Park Pond and Avalon Pond move to Put-and-Take Trout Fishing Areas.
- **Nontidal — 08.02.11.01, .03 — Effective 12/24/12**  
Changes for 2013
- **Shellfish — General — Lobster — 08.02.08.10 — Effective 12/24/12**  
v-notching, release of egg-bearing females, closure

- Yellow Perch — 08.02.21.04 — Effective 12/24/12  
Open, close or modify on website rather than the newspaper.

### **Regulations that have been Proposed and are Following the APA Process**

View Maryland Register at <http://www.dsd.state.md.us/MDRegister/mdregister.aspx>

- Billfish — Proposed — 08.02.05.26 and 08.02.12.03  
Maryland Register 12/28/12, Comment Period Ends 1/28/13, Scheduled Effective 3/4/13  
List roundscale spearfish as “in need of conservation” to allow management of roundscale spearfish consistently with NMFS and change the genus of white marlin to reflect the recent taxonomic change. Remove the outdated endangered and threatened species lists. The current lists are located in COMAR 08.03.08.
- Penalties — Proposed — 08.02.13.01, .02, .03, .05, .08  
Maryland Register 1/25/13, Comment Period Ends 2/25/13, Scheduled Effective 4/1/13  
Adjustments to the recreational, commercial, and charter boat/fishing guide penalty systems.
- Pound Nets — Proposed — 08.02.05.02 and 08.02.15.07  
Maryland Register 1/25/13, Comment Period Ends 2/25/13, Scheduled Effective 4/1/13  
Requires pound net fishermen to 1) notify the Department prior to setting a net and prior to taking a net down to get information about the number of pound nets actively being fished and 2) fish their pound nets more frequently during the striped bass spawning period and release the entrapped striped bass.

### **Emergency Regulations in Effect**

- Aquaculture — Emergency — 08.02.23.02-.04  
Effective September 13, 2012 through January 15, 2013  
Smaller size limit for aquaculture during closed wild fishery, fees and rent for water column leases; seed oyster size.